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FILED

MAY 03 2013

**STATE BAR COURT
CLERK'S OFFICE
LOS ANGELES**

6 **THE STATE BAR COURT OF CALIFORNIA**
7
8 **HEARING DEPARTMENT - LOS ANGELES**

9 In the Matter of:

) CASE NO.: 12-O-16785

10
11 CHRISTOPHER SCOTT HAMMATT,
12 No. 222209,

) **RESPONSE TO NOTICE OF
DISCIPLINARY CHARGES**

13 Respondent,

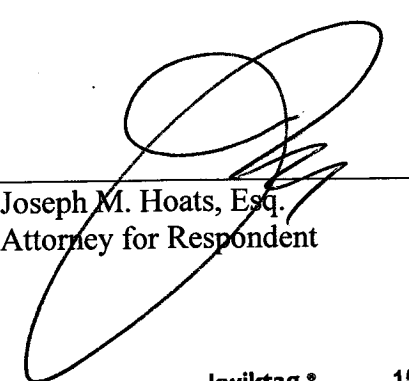
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15 A Member of the State Bar.

) Judge:
[Hon. Richard A. Hann]

16
17 **TO THE STATE BAR COURT OF THE STATE BAR OF CALIFORNIA:**

18 Respondent, CHRISTOPHER SCOTT HAMMATT, ESQ. (hereinafter "Respondent"),
19 by and through undersigned counsel, JOSEPH M. HOATS, ESQ., hereby submits this response
20 to notice of disciplinary charges filed herein.
21

22
23
24 Dated: 05-02-13

By: 
Joseph M. Hoats, Esq.
Attorney for Respondent



1 Respondent cannot effectively admit nor deny each of the allegations and charges
2 contained in the notice of disciplinary charges except that Respondent admits the following:

3 **JURISDICTION**

4 Respondent admits that he was admitted to the practice of law in the State of California on
5 December 3, 2002, and is now, and at all times herein mentioned was, a member of the State
6 Bar of California.
7

8 **COUNT ONE**

Case No.: 12-O-16785

9 *Rules of Professional Conduct rule 4-100(A)*
10 [Failure to Maintain Client Funds in Trust Account]

11 Pursuant to Evidence Code Section 950 et seq. and Business and Professions Code
12 6068(e)(1), Respondent is unable to admit or deny the allegations (or any parts of the
13 allegations) of Count One that he willfully violated Rules of Professional Conduct rule 4-
14 100(A).
15

16 **COUNT TWO**

Case No.: 12-O-16785

17 *Business and Professions Code § 6106*
18 [Misappropriation]

19 Pursuant to Evidence Code Section 950 et seq. and Business and Professions Code
20 6068(e)(1), and Respondent is unable to admit or deny the allegations (or any parts of the
21 allegations) of Count Two that he willfully violated of *Business and Professions Code §*
22 *6106*.
23

24 **BACKGROUND**

25 The matter and transactions complained of which are the subject of this proceeding may be
26 fully and accurately explained as follows:
27
28

Unfortunately, the party identified in the Notice of Disciplinary Charges never complained to the State Bar about the relationship with the Respondent. Therefore, any response provided to this Court would be a violation of Respondent's ethical duties under the Attorney Client privilege.

FIRST AFFIRMATIVE DEFENSE

The allegations of the notice of disciplinary charges are insufficient to charge professional misconduct in light of documentation evidencing that no such misconduct occurred. Further, the client has maintained that she wants to preserve the Attorney Client Privilege.

EXTENUATING AND MITIGATING CIRCUMSTANCES

In the event respondent is found guilty of unprofessional conduct as charged in the notice of disciplinary charges, respondent respectfully submits the following facts in mitigation without admitting that such charges are true or that the facts alleged therein constitute professional misconduct:

1. Respondent has practiced law in the State of California for 10 years without any prior charges of misconduct or prior disciplinary record. Throughout his professional career, Respondent has successfully endeavored to maintain a high level of respect and an excellent reputation among his fellow attorneys and the courts for honesty, integrity, and professional competence in diligently and vigorously representing his clients.

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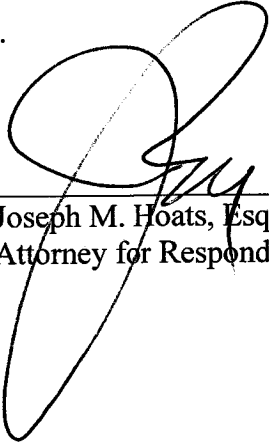
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CONCLUSION

WHEREFORE, Respondent prays that the Hearing Panel find that the act(s) charged did not occur or that, if such act(s) occurred, did not constitute any violations, as charged above, and, as such, did not constitute professional misconduct; or, if misconduct is found, that it be excused by virtue of the extenuating circumstances submitted.

Dated: 05-02-13

By: 
Joseph M. Hoats, Esq.
Attorney for Respondent

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PROOF OF SERVICE

I, the undersigned, am and was at all times herein mentioned employed in the County of Riverside, State of California, over 18 years of age, and not a party to the within action. My business address is 28039 Scott Road, #D-397 Murrieta, CA 92563. On 05/03/2013, I personally served the within documents:

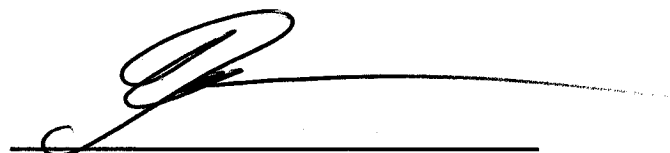
RESPONSE TO NOTICE OF DISCIPLINARY CHARGES

TO:

**William S. Todd, Deputy Trial Counsel
State Bar of California
Office of the Chief Trial Counsel
1149 South Hill Street, 5th Fl.
Los Angeles, CA 90015-229
Tel: 213-765-1000
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I declare under penalty of perjury under the laws of the State of California and the United States of America that the foregoing is true and correct.

Executed on 05/03/2013 at Los Angeles, California.



Michael Abuzeid